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PROFESSIONAL CORPORATION
IN NORTH CAROLINA

March 28, 1997

FCM MAIL ROOM

Senator Fred Thompson
Russell Senate Office Building
Washington, D.C. 20510

APR - 4 1997

Re: A national disgrace, the law enforcement mobile radio market place, political impact.

Dear Senator Thompsen:

I would like to suggest that you or some other Congressional Committee take a serious look at the undo market influence on the land mobile radio market. The cellular telephones sell in the few hundred dollar range while virtually the same units sold in the law enforcement / public safety market per point-of-communication range between \$2,600.00 - \$2,800.00, and newer digital units are nearly double that.

The reason for this is complex. The puzzlement is why no one speaks out, or does anything about it.

To understand how things are where they are today requires questioning and appreciation of the evolution of the problem. Today's circumstances evolution started in the 1950's at the time of the big electric/utility equipment price fixing scandals.

As the records show, the four principal suppliers carved up the electric utility market and bidding process by the phase of the moon.

Watching that the three electrical radio suppliers at the time wanted to enhance their position but could not find a forum to meet and discuss it. The Electronic Industry Association (EIA) which they were members of was well policed and monitored. Thus evolved a temporary organization called JTAC (Joint Technical Advisory Committee). The public reason was radio spectrum, the undiscussed reason was to work out a business market plan. The plan that was developed was referred to as a compatible business strategy. It worked well through the 1960's and 1970's allowing the margin radios in the government market to rise to 6-7 times the cost as compared to 2.5 to 3 times in the commercial market. Roughly double margin, double profits.

Motorola appeared to have General Electric's department exactly were it wanted it.

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Motorola further enhanced market control by buying, controlling and developing radio sites. GE's department had an internal charter problem and could not do the same.

As the system and technology became more complex, the dominant supplier had "front" consultants (non-degree, Super Technicians) who they fed and then did work for. According to ex-employees of this firm, who had seen one of these operations, it was nothing more than a letterhead typing service. Finally as the two minor suppliers waned, they refused to bid and that stopped that. Unfortunately, it was too late for RCA. They exited the market place.

What is hard to understand with reference to the Telecom Act is the esteemed individual talk about control of the municipal right of way, but they do not talk about control of the air right of way public safety radio channels. When a priority sole source computer controlled radio infrastructure is allowed to be in-place everybody loses and the dominant supplier only gets stronger and the weaker get weaker, the public tax payer loses. The public is not served.

Can the national and public safety people afford this? I think not. To add insult to injury, it appears the dominant supplier has franchised its influence in the market place. The deals which our firm has refused numerous time from the dominant supplier is we'll get you the business if you see to it that we get the majority of jobs.

Why doesn't the Clinton administration, through Janet Reno, refuse to look into or discuss this matter?

Why will none of the FCC Commissioners speak out on this subject?

Why will the Anti-Trust Department of Justice not get involved when requested to by U.S. Attornies?

Why do strong right of way advocates such as brokers, Nick Miller, John Pestle, Robert Guerss skirt this issue like the plague? Are they from the Rose Type legal brokerage houses?

There are vital national and economic issues here and I plead that you look into them. Here are some starting point situations from general industry stories and direct experiences of our firm:

Richmond, Virginia area

Henrico County's debriefing of radio consultants by purchasing was that the winning firm's principal guaranteed a Motorola award. Henrico went out with unsealed engineer documents. Only one multi-million dollar bid was received thus protecting Motorola's market place. Why would James Gilmore not discuss this situation? Is Gilmore fit for public office?

Chesterfield County's Fire Department represented that they would be the form and focal point to arrange the radio market. We are aware that for the third time the purchasing department selected non-professional engineers for life and public safety projects. Jim Gilmore will not discuss or get involved. Our firm declined to offer its services.

North Carolina/South Carolina area

Jim Tucker's Motorola sales force spoke openly at a recent Innovative technology workshop dinner in Charlotte, NC that after they lost the Hickory, NC project they reached an agreement with an Alabama consulting firm to informally serve that market. Including formal protest and what have you, I believe a factual analysis will speak for itself. Tucker's sales force brags about the log rolling between Dave County, NC, Fayetteville, NC, Myrtle Beach, SC, and Pitt County, NC.

Before Mr. Tucker, Robert Hurt, retired Motorola sales manager, relished in telling the consultant deal regarding Asheville, NC project.

Nashville, Tennessee

Our firm was the initial consultant for their project. After the radio specifications came out, Lewis Curd, Motorola's sales leader, gave me an ultimatum. Write in APCO 25 which would make it sole source Motorola, or lose the consultant assignment. He stated that he was the old organ grinder and the Mayor was the monkey. I stated that I would do it if asked by the client, but not by a vendor. Approximately two to three weeks later it was reported that Vice President Gore had called and a city employee reported to me that it was bizarre in City Hall. Our firm was terminated without cause.

Later when I interviewed an unemployed sales person from a losing consultant firm she openly stated that the purchasing department had told her that they had leaked the selected minority to the Alabama consultant that had been selected then on that basis.

Later, an Illinois government client has advised that the Motorola sales force comments on their control of both the monkey Mayor and the consultant in Nashville. The Illinois government should not hire our firm because of its integrity - not compatible with the radio market.

My Assessment: The City of Nashville is the big loser.

North Central

At the time that we were working on a D.C. area project, the lock-out exclusion of the analog dominate supplier system became known. Craig Leonard's Motorola sales force

leader stated that National APCO would protect the monopolist exclusive analog market for Motorola. Later stories have surfaced that the arrangement was consummated in the Motorola hospitality suite at the Las Vegas APCO convention. Reputably there were congratulatory telegraphs between Motorola headquarters and high level APCO movers and shakers. It was less costly for Motorola to stop and divert the market place (APCO 25) rather than improve its product in response to the Ericsson market offering.

Baltimore, Maryland

Our firm was selected as consultant for the schedule planning phase to the city. Bids were taken for the specification writing phase and before the purchasing department called us, Craig Leonard's sales force called us and gave us the ultimatum of writing in exclusive Motorola APCO 25 procurement or not getting the work. I refused. The next day purchasing told us we were the low bidder and would do the work. Shortly thereafter, we were told it had to be re-bid. Ultimately, another consultant was hired and Baltimore went out with plans and specifications for a radio system which was APCO 25/Motorola exclusive with unsealed drawings indicating the Fire and Police did not qualify as being related to life, limb and property protection.

The state of Maryland professional engineer association ask for an investigation which led no where. Subsequently, Craig Leonard personally said Motorola controlled the Governor's chief of staff and thus controlled the whole state - undue influence.

Roanoke Valley, Virginia

The Emergency Medical Services Group secured the services of a New Jersey non-professional firm as compared to two licensed professional firms.

In a second activity, the County of Roanoke went looking for a consulting firm. A reliable inside government employee said the activity was manipulated in the same way that the director of communications name was placed on the governments budget before the open competitive process named the candidate.

A citizen volunteer on the communications committee, stated that both the consultant selection process and the vendor selection process was pre-determined.

Our firm was invited to offer our services. We brought these matters to the attention of the procurement office and she denied them. At the end of the oral interview, while standing at the elevator to leave, a member of the evaluation committee thanked our firm for it's time. He had raised the same issues as we had, but it was pre-determined to be an Alabama firm and Motorola.


The law enforcement community needs support. It cannot afford to be financially preyed

upon. How many other business procurements has Vice President Gore intervened in? Did he use his DNC credit card or government property with no governing controlling organization?

Someone needs to look into this matter and do the right thing in the publics best interest before Congress, through the FCC, allocates any further radio spectrums and grows this business fungus.

Happy Easter,

FREDERICK G. GRIFFIN, P.C.


Frederick G. Griffin, P.E.
President

FGG:cfg

cc: FCC Docket 96-86 (8 copies)
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About FREDERICK G. GRIFFIN, P.C.

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FREDERICK G. GRIFFIN, P.C. was established to provide telecommunications consulting and engineering services to local governments. Founded by Frederick G. Griffin, P.E., in 1972 as a personal consulting service, the firm expanded to a full business venture in 1974 as FREDERICK G. GRIFFIN, INC. The firm acquired its current name in 1979 when it became a registered professional corporation in the Commonwealth of Virginia. It has since become a registered corporation in other states and is one of a select few communications consulting firms in the country that are subject to review at the state level for ethics and work product performance. Clients include local, state and federal governments, utilities, common carrier and volunteer organizations. The firm is headquartered in Lynchburg, Virginia, and has a field office in Washington, D.C.

CEO and president Frederick G. Griffin, P.E., is a registered professional engineer in the Commonwealth of Virginia. Telecommunications expertise he acquired earlier as an employee of a large communications equipment manufacturer is complemented by a well-trained and client-oriented staff.

The firm also has an associate staff of professional engineers to draw on as the needs require, to complement the firm's communications expertise.

Professional growth

Personnel maintain their state-of-the-art pursuits through seminars in their respective disciplines and active membership in technical organizations that include the Association of Federal Communications Consulting Engineers (AFCCE), the Institute of Electric & Electronic Engineers, Inc. (IEEE), the Association of Public Safety Communication Officers (APCO), and the National Society of Professional Engineers (NSPE).

Expertise

The firm's areas of expertise include:

- ◆ Land Mobile Radio Systems
- ◆ 800 MHz Trunked Radio Systems
- ◆ Microwave Systems
- ◆ Telephone Systems
- ◆ SCADA Systems
- ◆ Telemetric Systems
- ◆ Cellular/PCS/PCN
- ◆ Local Area Networks
- ◆ Telephone Networks
- ◆ FCC and FAA Liaison

Services

Totally independent of any manufacturer, distributor, software supplier, airtime service provider or vendor, the firm offers unbiased service to its clients. Recommendations are dictated by one criterion: what best fits a client's needs.

Professional services include:

- ◆ Negotiations
- ◆ Feasibility Studies/Economic Analysis
- ◆ Systems Engineering
- ◆ Equipment Specifications
- ◆ Physical Facilities Planning
- ◆ Field Engineering/Measurements
- ◆ Appraisals and Technical Evaluations
- ◆ Acceptance Testing
- ◆ Project Management/Monitoring

The firm also provides expert testimony for insurance claims investigations, public utility commissions, local zoning boards, and FCC filings.

Resources

Headquarters houses the firm's technical library and computer facilities. Extensive in-house computing capabilities to conduct a propagation analysis and a wide range of design engineering services thus reduces the time and cost required to perform such services. Computer services include: terrain and path profiling, intermodulation studies, frequency coordination, remote computer access, traffic loading and analysis, propagation, interference, point-to-point and CATV system analysis, and database development.

A combination of pre-packaged and customer-developed software is used, and the firm develops its own software as needs arise.

Project site management and field measurements are provided. Precision field and laboratory testing is provided through an associated measurements laboratory.

Entering Our Second Quarter Century Of Service

Methodolpgy

A carefully selected project team researches and accumulates data, develops a process or solution, and then prepares the implementation for each project. The focus is future oriented - anticipating changing needs and resolving potential problems. The sequence of events ensures the integrity of both cost and value.

Experience and Know-How

Decades of combined staff experience in diverse and complementary communications disciplines assures client satisfaction.

The firm is active in the 800 MHz trunked radio systems evolution as well as industry regulatory activities. Mr. Griffin chaired the trunked radio panel at the 1993 Mid-Atlantic APCO convention. The firm was a principal contributor on the subject of incompatibility of 800 MHz trunked equipment through articles written by Mr. Griffin and staff. It was represented on the National Public Safety Planning and Advisory Committee (NPSPAC), which was charged by the FCC to develop a national plan for the allocation of the new 800 MHz frequencies. The firm wrote the technical portion of the Region 42, 800 MHz plan. Mr. Griffin is at the forefront of developing digital trunking standards and spectrum planning. He was a member of APCO's Project 25 and Public Safety Wireless Advisory Committee (PSWAC). He is a member of **Mobile Radio Technology's** editorial advisory board, and is past president of the AFCCE. The AFCCE is comprised of consulting engineers at the highest level of their respective fields who practice before the Federal Communications Commission (FCC) on engineering and regulatory matters. He is an associate member of the Federal Communications Bar Association.

Over the years, staff articles have been published in various trade journals. Mr. Griffin has spoken and written on the topic of negotiations and minimizing protest and litigation.

The firm's Washington area office is located at:

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